



FAQs: COVID-19 (Coronavirus) **Tenant Protections**

Can my landlord evict me for not paying rent during the Pandemic?

NO. If you have lost wages due to the pandemic, **your landlord CANNOT evict you during this time.** These protections have been extended through **September 30, 2021.**

What does “COVID-19-related” mean?

You are protected from eviction if you lost wages due to the Pandemic. This also includes if you were unable to work due to childcare issues, if you had to care for a sick family member, or if you yourself got sick.

Can I get help with rent and utility bills?

Yes. Marin County’s rental assistance program may be able to pay 100% of your rental debt and help with utility/internet bills. Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

You may be eligible for rental/utility assistance even if:

- You moved;
- Your landlord/master tenant refused to apply for rental assistance;
- You have already received rental/utility assistance in the past;
- You borrowed money to stay current on rent;
- You are undocumented.

What if I couldn’t pay my rent for the months of March 2020 through August 2020?

A landlord cannot evict you for rent owed during this time. HOWEVER, you are still responsible for the rent owed and your landlord may take you to small claims court if you do not apply for rental assistance. Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

Legal Aid of Marin: (415) 492-0230

www.legalaidmarin.org/covid-19/

Updated 6/29/2021

What if I cannot pay rent for the months of September 2020 through September 2021?

If you are not able to pay rent for a COVID-19-related reason, your landlord cannot evict you. However, you are required to pay 25% of total rent owed from September 2020 through September 30, 2021 *by or before September 30, 2021*. You do not need to pay 25% each month!

Your landlord should give you a 15-Day Notice to vacate the property with an attached Declaration stating that you are unable to pay rent due to Covid-19 *for each month during this time period*. If you are unable to pay rent, sign, date and submit the Declaration to your landlord within 15 days. You can also find a copy of the Declaration on Legal Aid of Marin’s website. **Make a copy or take a picture of the signed declaration and any rent payments you submit for your records.**

Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

What kind of units do the protections apply to?

The prohibition on evictions applies to all units, even if you are renting a room or part of a room in a unit.

Who is protected by this law?

All renters! You are protected even if you are a subtenant, have no written lease, or are undocumented.

What if I pay rent and/or have a lease with a master tenant?

A master tenant has the same obligations as a landlord under the law! The master tenant **MUST** go through the same eviction process as a landlord.

What if my master tenant stops paying rent?

Keep records of every rent payment that you make. Try and pay your landlord/manager directly. Submit your own declaration to the landlord/manager and keep a copy. Taking a photo of your rent payment, declaration, or any other important documents is fine.

What if my master tenant abandons the unit?

You are still a tenant by law if you have lived in the unit for more than 30 days. The landlord **MUST** go through court to have you evicted. A landlord is not obligated to enter into a lease with you if you want to remain in the unit, but you can try – no guarantees.

Do I need to pay 25% of the rent every month?

No. You can pay 25% of the total months owed by September 30, 2021.

Example: If your rent is \$1,000 per month, then the total rent owed from September 2020 to September 2021 (12 months) will be \$12,000. You must pay \$3,000 BY SEPTEMBER 30, 2021 in order to avoid eviction.

Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

What if I get a letter demanding that I pay rent? What if I get an eviction or notice to vacate?

Seek legal advice immediately. Your landlord can serve you a “15 Day Notice to Pay or Quit” but DO NOT PANIC! Just submit your declaration as stated above. Your landlord cannot force you to leave your unit or to pay rent while the current protections are in place. If your landlord threatens you with forcible removal or locks you out of your unit, you should call the police. Contact us at (415) 492-0230. **Our services are free and confidential.**

Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

Can the Landlord call the Police on me or lock me out if I do not pay all past due rent by June 30, 2021?

No. A landlord or master tenant MUST serve you a valid eviction notice and go through the court process to have you removed from your home. If your landlord or master tenant locks you out of your home, call us immediately at (415) 492-0230. **Our services are free and confidential.**

What happens to the rental debt that I am unable to pay?

Your landlord can sue you in court beginning on November 1, 2021 for any remaining rental debt, but they cannot evict you. Any rental debt that your landlord recovers in court becomes consumer debt (similar to credit card debt).

Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

Do I have to enter into a payment plan with my landlord?

No, your landlord cannot force you to enter into a payment plan for unpaid rent. However, if you choose to enter into a payment plan, seek legal advice to review the agreement before signing. Contact us at (415) 492-0230. **Our services are free and confidential.**

Apply for rental/utility assistance here: marincounty.org/rentalassistance. If you do not have access to a computer, call (415) 473-2223 for help filling out the application.

If I seek legal advice or get help paying my rent from a non-profit organization, will I be considered a public charge?

No! Seeking legal or rental assistance DOES NOT jeopardize your legal status. You will NOT be considered a public charge if you get help. For more information on public charge, contact us at (415) 492-0230. **Our services are free and confidential.**

Can my landlord raise my rent during the COVID-19 emergency?

Your landlord can raise your rent, but is limited by state and local laws. If you get a rent increase of more than 8% of your current rent, seek legal advice in determining if the rent increase is legal. There are also extra protections for some neighborhoods in Novato, San Rafael, San Anselmo, and unincorporated areas of Marin; if you live in any of these areas, you should seek legal advice to see if the rent increase is legal. Contact us at (415) 492-0230. **Our services are free and confidential.**

Can my landlord harass me for not paying rent?

No. Your landlord cannot retaliate against you if you do not pay rent. The landlord cannot lock you out of your home, threaten to call ICE/sheriff, cut off utilities, take away services that are provided in your lease, or harass you to move out. If you experience any sort of harassment as result of not paying rent, contact us at (415) 492-0230. **Our services are free and confidential.**